

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANDRIA HANCOCK,)
)
Plaintiff,)
)
vs.) Case No. 4:08CV00212 ERW
)
CHARTER COMMUNICATIONS, INC.,)
et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter comes before the Court on Andria Hancock's ("Plaintiff") Supplemental Motion to Remand [doc. #32] and Second Motion to Amend Plaintiff's Complaint by Interlineation [doc. #33]. Defendants consent to the remand of this action as Plaintiff has filed an affidavit which states that:

- she has not incurred damages in excess of \$75,000, exclusive of costs and interest;
- she will file a motion to amend her complaint to state that damages are limited to \$75,000, exclusive of costs and interest;
- were a jury to award her an amount more than \$75,000, she will agree to a remittitur to reduce the verdict to \$75,000, exclusive of costs and interest; and
- if awarded an amount more than \$75,000, exclusive of costs and interest, she would not pursue the collection of the amount over \$75,000.

As stated in her affidavit, Plaintiff has submitted a Motion to amend her complaint. This Motion seeks to have the phrase "in an amount not in excess of seventy-five thousand dollars (\$75,000.00), exclusive of costs and interest" inserted wherever the Complaint presently reads "in

an amount necessary to confer jurisdiction in the Circuit Division of this Court and for costs of suit.”

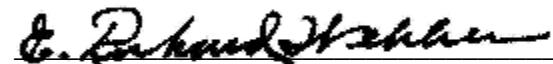
Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Second Motion to Amend Plaintiff’s Complaint by Interlineation [doc. #33] is **GRANTED**. All instances in which Plaintiff’s Complaint reads “in an amount necessary to confer jurisdiction in the Circuit Division of this Court and for costs of suit” shall be replaced with the phrase, “in an amount not in excess of seventy-five thousand dollars (\$75,000.00), exclusive of costs and interest.”

IT IS FURTHER ORDERED that Plaintiff’s Supplemental Motion to Remand [doc. #32] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of Court shall remand this action to the Third Judicial Circuit of Illinois, Madison County, from which it was removed.

Dated this 27th Day of March, 2008.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE